

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other, and with other persons unknown to the Grand Jury, to distribute, and to possess with intent to distribute, cocaine, a Schedule II controlled substance, in violation of 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the conspiracy involved at least five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to this Count.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (18 U.S.C. § 924(c)(1)--Possessing a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury further charges that:

On or about July 8, 2005, at Quincy in the District of Massachusetts,

2. RAFAEL HUERTA, a/k/a "Angel Rivera", a/k/a "Hector Colon",

defendant herein, did knowingly and intentionally possess a firearm, to wit: a Hi Point, model C-9, 9 mm luger semi-automatic pistol, with an obliterated serial number, in furtherance of a drug trafficking crime, to wit: conspiracy to distribute, and to possess with intent to distribute, cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846, as charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1).

FORFEITURE ALLEGATION

(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Count 1 of this Indictment,

1. WILGEN ANIBAL BRITO-MELO, a/k/a "Jose Concepcion Navarro", and
2. RAFAEL HUERTA, a/k/a "Angel Rivera", a/k/a "Hector Colon",

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

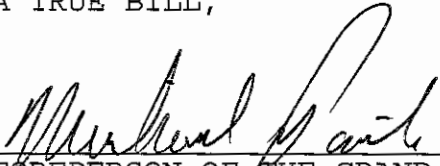
2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants -

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL,



FOREPERSON OF THE GRAND JURY


PETER K. LEVITT
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS

August 25, 2005

Returned into the District Court by the Grand Jurors and
filed.


Deputy Clerk
8/25/05
12:25pm ~~8/25/05~~

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Quincy Category No. II Investigating Agency DEACity Quincy Related Case Information:County Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number 05-1648-CBS
Search Warrant Case Number 05-1681-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Wilgen Anibal Brito-Melo Juvenile ☐ Yes ☒ NoAlias Name Jose Concepcion NavarroAddress 6123 Avalon Drive, Weymouth, MABirth date (Year only): 76 SSN (last 4 #): _____ Sex M Race: Hispanic Nationality: DominicanDefense Counsel if known: John Brazilian Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Peter K. Levitt Bar Number if applicable 565761Interpreter: ☒ Yes ☐ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: July 11, 2005☒ Already in Federal Custody as of 7/11/05 in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 8/25/05 Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Wilgen Anibal Brito-Melo

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC § 846</u>	<u>Conspiracy To Distribute Cocaine</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Quincy Category No. II Investigating Agency DEACity Quincy Related Case Information:County Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number 05-1648-CBS
Search Warrant Case Number 05-1681-CBS
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Rafael Huerta Juvenile ☐ Yes ☒ NoAlias Name Angel Rivera and Hector ColonAddress 42 Whitfield Street, #20, Dorchester, MABirth date (Year only): _____ SSN (last 4 #): _____ Sex M Race: Hispanic Nationality: _____Defense Counsel if known: Tom Kerner Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Peter K. Levitt Bar Number if applicable 565761Interpreter: ☒ Yes ☐ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: July 11, 2005☒ Already in Federal Custody as of 7/11/05 in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

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JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

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Set 1	<u>21 USC § 846</u>	<u>Conspiracy To Distribute Cocaine</u>	<u>1</u>
Set 2	<u>21 USC 924(C)</u>	<u>Poss Firearm in Furtherance Drug Trafficking</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

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